

REMARKS/ARGUMENTS

Status of Application

Claims 89-107 are pending. Applicant has canceled claims 9, 18, 44-47, 54-64 and 54-64; has amended claims 91 and 93; and add claims 104-107. The Amendment does not add new matter.

Claim Objection and Additional Formal Amendment

The Examiner objected to claim 91 as failing to provide antecedent basis for "the fluid material." Applicant has removed the "the."

Applicant has also taken the opportunity to improve the grammar (parallel clause structure) in claim 93.

Obviousness-Type Double-Patenting Rejection

Applicant is providing a terminal disclaimer to address the obviousness-type double-patenting rejection.

Previously Submitted Information Disclosure Statements (IDSs)

During the course of the prosecution, Applicant submitted the following IDSs:

- IDS filed September 29, 2003 (132 references listed on PTO-1449);
- IDS filed March 1, 2004 (3 references listed on PTO-1449); and
- IDS filed May 28, 2004 (23 references listed on PTO-1449).

Applicant has received an acknowledgment of the third IDS, but not the first and second.

Applicant respectfully requests that the Examiner acknowledge receipt and consideration of the references in the first and second IDSs.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/616,453
Amdt. dated April 11, 2005
Reply to Office Action of December 10, 2004

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



David N. Slone
Reg. No. 28,572

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
DNS:dd
60384551 v1